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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,478	02/02/2001	Yan Zhao	02365.P0018	7137

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EXAMINER

ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/776,478

Applicant(s)

ZHAO, YAN

Examiner

Shawki S. Ismail

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to RCE filed on April 4, 2005. Claims 1-26 are pending examination.

Claim Rejections - 35 USC §102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-2, 4-26 are rejected under 35 U.S.C. 102(e) as being anticipated by **Gupta et al. (Gupta)**, U.S Patent No. **6,763,384**.

4. As to claims 10, Gupta teaches a client/server communication framework to facilitate communications to one or more clients using hyper-text transfer protocol (HTTP) comprising:

a first server (see Fig. 4, application server 20) in an application server to send a first message to a second server (see Fig. 4, notification sever 30) in the application server, and also to provide information to one or more clients using HTTP (see Fig. 4, clients 114-118);

the second server in the application server, coupled to the first server, to receive the first message from the first server, to store the first message, and to send the first message to an application client at a later time in response to

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receiving an HTTP polling request from the application client and determining that the first message was previously stored (col. 1, lines 55-67, col. 7, lines 36-45 and col. 9, lines 20-35) ; and

the application client to send the HTTP polling request to the second server, to receive the first message from the second server, and to distribute the first message to a first client in the application client (col. 1, lines 55-67).

5. As to claims 11, Gupta teaches the client/server communication framework of claim 10, wherein the first server is a server for an application, the second server is a communication server, the first client is a client for the application, and the application client further comprises a communication client (see Fig. 4, col. 8, lines 30-43, col. 9, lines 20-35).

6. As to claims 12, Gupta teaches the client/server communication framework of claim 10, further comprising a memory location to store messages received by the second server (col. 5, lines 4-21, col. 7, lines 36-45, the notification server is able to store notifications intended for clients).

7. As to claims 13, Gupta teaches the client/server communication framework of claim 12, wherein the messages are stored in a hashtable (col. 5, lines 4-21, it is inherent that the database 42 contains hashtables).

8. As to claims 14, Gupta teaches the client/server communication framework of claim 10, wherein the first message includes information identifying the first client and the application (col. 9, lines 30-35).

9. As to claims 15, xxx teaches the client/server communication- framework of claim 10, further comprising;

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a third server to provide information to one or more clients using HTTP protocol, wherein the second server is coupled to the third server to receive a second message from the third server (see Fig. 4, col. 9, lines 20-35),

wherein the second message is intended to be sent to a third client using HTTP protocol; and wherein the second message is sent to the third client in response to the same or consecutive polling requests by the second client (col. 1, lines 55-67, col. 9, lines 20-35).

10. As to claims 16, Gupta teaches the client/server communication framework of claim 10, wherein the first server is an application in a web server, and wherein the one or more clients are web-based clients (see Fig. 1, Fig. 2a)

11. As to claims 17, Gupta teaches the client/server communication framework of claim 10, wherein the first message is used to instruct the first client to fetch information from the first server using HTTP protocol (col. 8, lines 11-29, the user signs up to receive notification whenever there is a change in the highest bid of an online auction and then the use can then access the server to receive more information).

12. As to claims 18, Gupta teaches the client/server communication framework of claim 10, wherein the first message is consumed by the first client directly (col. 8, lines 11-29, the user signs up to receive notification whenever there is a change in the highest bid of an online auction).

13. As to claims 1-2 4-5, 7-9, 19-26, they have similar limitations of claims 10, 12-13, 15-18; therefore rejected under the same rational.

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14. As to claim 6, Gupta teaches a two-tier hashtable (col. 13, lines 45-50, It is inherent that database 42 contains a multi-tier hash table in order to be able to better store and retrieve the information).

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Gupta et al. (Gupta)**, U.S Patent No. **6,763,384** as applied to claim 1 and further in view of **Betros et al. (Betros)**, U.S. Patent Application Publication No. **US2002/0099795 A1**.

17. As to claim 3, Gupta teaches the invention substantially as discussed above; however, Gupta does not explicitly indicate the step of providing a communication servlet coupled between the communication server and the communication client.

Betros teaches a servlet configured to operate within or in conjunction with the web server, and being further configured to communicate with the client side logic (pages 12, para. [0015]).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the inventions of Gupta and Betros to provide a communication servlet coupled between the communication server and the communication client because it would allow two way asynchronous communication between server and client (page 1, col. 2, para. [0012]).

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
May 26, 2005




BHARAT BAROT
PRIMARY EXAMINER